THE HON'BLE SRI JUSTICE V.V.S.RAO

-

WRIT PETITION No.26570 of 2005

-

19.12.2005

Between:

M.Mallaiah, S/o.Kotaiah

... Petitioner

AND

The Collector (Panchayat Wing), Prakasam District, at Ongole

And others

...Respondents

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-

WRIT PETITION No.26570 of 2005

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ORDER:

The petitioner is sarpanch of Jarlapalem Gram Panchayat in Prakasam District. By impugned order dated 06.12.2005, the first respondent purporting to exercise of power under subsection (6) of Section 249 of A.P. Panchayat Raj Act, 1994 (the Act, for brevity) placed the petitioner under suspension for a period of three months while directing him to handover charge to Upa Sarpanch of Gram Panchayat. Aggrieved by the same, the present writ petition is filed, *inter alia*, contending that as required under subsection (6) of Section 249 of the Act, the first respondent did not issue any notice before passing impugned suspension order.

I have heard the learned Assistant Government Pleader (Panchayat Raj). As rightly pointed out by him, the petitioner has an effective alternative remedy by way of revision under Section 264 of the Act. The petitioner may first avail the said remedy and then approach this Court. The petitioner is, therefore, directed to file revision

before the Government of Andhra Pradesh within a period of one week from today. As and when such revision is filed, the Government of Andhra Pradesh in Panchayat Raj Department to entertain the revision and dispose of the same within a period of two weeks thereafter duly recording reasons.

The writ petition, with the above observations and directions, is disposed of. No costs.

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(**V.V.S.RAO, J**)

December 19, 2005.

NOTE:

1. Dispatch copy of the order by 20.12.2005.
2. Circulate a copy of the order to the Secretary to the Government of A.P., in Panchayat Raj Department, Secretariat, Hyderabad.

(B/o)

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